
Local Government Committee

HB 1631

Brief Description: Using revenues under the county conservation futures levy.

Sponsors: Representatives Clibborn, Fromhold, Moeller, Wallace and Jarrett.

Brief Summary of Bill

- Increases the maximum allowable county property tax levy for conservation futures from 6.25 cents to 10 cents per \$1,000 of assessed valuation.
- Requires funds collected from this levy to be used for maintaining and operating property acquired with the funds.
- Imposes limits on the use of levy funds for maintaining and operating park and recreational facilities.
- Requires the board of county commissioners or county legislative authority in counties with more than 100,000 residents to develop a process to distribute conservation futures levy funds throughout the county.
- Encourages the use of conservation futures as a tool for salmon restoration purposes.

Hearing Date: 2/9/05

Staff: Thamas Osborn (786-7129).

Background:

Since 1971, state law has provided a method by which designated entities both public and private may acquire certain property rights for the purpose of conserving selected open space land, farm and agricultural land, and timberland for public use or enjoyment. Counties, cities, towns, metropolitan park districts, metropolitan municipal corporations, and nonprofit preservation and conservancy corporations meeting statutory requirements may acquire full or partial interests in lands by purchase, gift or other prescribed method. The pertinent statutes refer to such property interests as "conservation futures".

The acquisition of a "conservation future" by an authorized entity – public or private – confers that entity with rights in perpetuity allowing the exercise of varying degrees of control over how the property is developed or maintained. The degree and type of control over the property that

may be exercised by an entity acquiring a conservation future is dependent on the terms of the purchase of the conservation future. For example, if a private owner sells a conservation future limiting his or her right to develop the property, but nevertheless retains title to the property, the private owner is restricted in his future use or development of the property in accordance with the terms of purchase agreement. In such instances, the private land owner would be required to seek the permission of the entity holding the conservation future before engaging in any activity that might be deemed inconsistent with the conservation future agreement.

Counties may levy a tax of up to 6.25 cents per \$1,000 of assessed valuation of all taxable property in the county for the purpose of acquiring conservation futures and other related rights and interests in real property. County legislative authorities may also establish a conservation futures fund, which may be used solely to acquire conservation futures and other rights and interests in real property pursuant to statutory requirements.

Summary of Bill:

The maximum county levy rate for the acquisition of conservation futures is increased from 6.25 cents to 10 cents per \$1,000 of assessed valuation. All rights or interests in real property acquired with conservation futures levy funds must be located within the assessing county. In addition to covering the costs of acquisition, such levy funds must be used for maintaining and operating property acquired with conservation futures funds. No more than 10 percent of the funds, however, may be used for maintenance and operation of parks and recreational facilities. Furthermore, conservation futures funds may not be used to supplant existing maintenance and operation funding.

County commissioners or county legislative authorities in counties with more than 100,000 residents are required to develop a process to eventually distribute conservation futures levy funds throughout the county. Counties are also encouraged to use some conservation futures funds for salmon restoration purposes.

Appropriation: None.

Fiscal Note: Requested on February 7, 2005.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.